

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA

Plaintiff

vs

CRIMINAL 05-0130CCC

HENRY BERROA

Defendant

O R D E R

Having considered the Report and Recommendation filed on September 16, 2005 (**docket entry 19**) on a Rule 11 proceeding of defendant held before Magistrate Judge Gustavo A. Gelpí on September 16, 2005, to which no opposition has been filed, the same is APPROVED. Accordingly, the plea of guilty of defendant Henry Berroa is accepted. The Court FINDS that his plea was voluntary and intelligently entered with awareness of his rights and the consequences of pleading guilty and contain all elements of the offense charged in the indictment.

This case was referred to the U.S. Probation Office for preparation of a Presentence Investigation Report since September 16, 2005. The **sentencing hearing is set for December 13, 2005 at 4:30 PM.**

SO ORDERED.

At San Juan, Puerto Rico, on September 22, 2005.

S/CARMEN CONSUELO CEREZO
United States District Judge